

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

---

In re )  
 )  
MARY LOU ZIMMERMAN, ) No. 16-10237-BFK  
 ) Chapter 11  
Debtor. )  
-----

**FINAL REPORT AND MOTION FOR FINAL DECREE, FOR ENTRY OF  
DISCHARGE, AND TO CLOSE CASE**

COMES NOW Mary Lou Zimmerman (the “Debtor”), the reorganized debtor herein, by her undersigned counsel, and submits this Final Report, Motion for Final Decree, for Entry of Discharge, and to Close Case (the “Motion for Final Decree”). Contemporaneously herewith, the Debtor is also submitting a Final Account that should be considered in evaluating the Debtor’s Motion for Final Decree.

1. On January 21, 2016 (the “Petition Date”), the Debtor commenced his voluntary chapter 11 bankruptcy case.
2. By Order entered August 31, 2017, (the “Confirmation Order”), the Court confirmed the Debtor’s Plan of Reorganization (the “Plan”).

3. Subsequently, the Debtor has undertaken those steps necessary to substantially consummate and fully administer the confirmed Plan as provided under Section 1101(2) of Title 11 of the United States Code (the “Bankruptcy Code”). More specifically, the Debtor has commenced distribution under the Plan, and has completed payments to her creditors (except for the attorney’s fees pending court approval, for

Daniel M. Press, VSB# 37123  
Chung & Press, P.C.  
6718 Whittier Ave., Suite 200  
McLean, VA 22101  
(703) 734-3800  
Counsel for Debtor

which there are sufficient funds in escrow from the Debtor and her husband). Each of the requirements under Section 1101(2) of the Bankruptcy Code is summarized below. There has been substantial consummation of the Plan confirmed by the Court on August 31, 2017. The property required to be transferred was transferred; the debtor has assumed the management of all the property dealt with by the plan; and the debtor has commenced and completed distribution under the plan. Each of these three requirements under 11 USC §1101(2) is summarized below.

**I. Transfer of Property.**

The Plan was funded by a contribution from Debtor's husband, which was completed and paid. Accordingly, all property transfers anticipated by the Plan have been completed.

**II. Assumption by Debtor of Management of Property.**

The plan provided for the debtor to stay in control of her assets after confirmation. Since the date of confirmation, the debtor has remained in control and has operated pursuant to the terms of the plan.

**III. Distributions.**

On the effective date, September 15, 2017, the Debtor commenced and completed distributions under the plan. The Debtor has paid all administrative expenses that have come due (other than fees for Debtor's counsel, which have been escrowed), all taxes are current, Debtor has made all payments under the plan due in accordance with Plan provisions and in the Final Report attached hereto as Exhibit A. The Debtor asks for approval of the Final Report.

**MOTION FOR FINAL DECREE**

As indicated above, the Debtor have substantially consummated the Plan as provided under Section 1101(2) of the Bankruptcy Code. To the best of the Debtor's knowledge, all allowed administrative claims have been paid (other than the fees of Debtor's counsel for which funds have been escrowed), and U.S. Trustee fee for the present quarter and the 4<sup>th</sup> quarter will be paid in conjunction with or prior to the approval of this motion. Debtor does not anticipate that there will be any further administrative claims sought by creditors. The Debtor has completed the transfer of all property to be transferred under the Plan. All pending motions, contested matters and adversary proceedings have been resolved or will be resolved concurrently with this motion. The Debtor will pay any outstanding quarterly fees to the Office of the United States Trustee through the fourth quarter of 2017 in conjunction with the Court's approval of this motion.

#### **REQUEST FOR ENTRY OF DISCHARGE**

Article VIII of the Plan provides that "Upon completion of all payments due to creditors, the Debtor shall be entitled to a discharge of and from all debts dischargeable under § 1141(d) of the Code." The Debtor has made or escrowed all payments to creditors and unclassified claims (administrative expenses and priority taxes).

Accordingly, Debtor is entitled to entry of her discharge. DEBTOR'S CERTIFICATION OF COMPLIANCE WITH 11 U.S.C. § 1141(d)(5) is being filed herewith.

WHEREFORE, Debtor respectfully seeks entry of an Order by this Court: (i) approving the Debtor's final report; (ii) granting the Debtor a discharge; (iii) granting the Debtors' Motion for entry of a Final Decree in this case, and closing the case; and (iv) for such further relief as the Court deems just and appropriate.

Dated: September 25, 2017.

Respectfully submitted,

/s/ Daniel M. Press  
Daniel M. Press, VSB 37123  
Chung & Press, P.C.  
6718 Whittier Ave., Suite 200  
McLean, VA 22101  
(703) 734-3800/(703) 734-0590 fax  
[dpress@chung-press.com](mailto:dpress@chung-press.com)

**CERTIFICATE OF SERVICE**

This is to certify that on this 25th day of September, 2017, I caused the foregoing document to be served on the US Trustee and all persons requesting notice by CM/ECF, and by first class mail, postage prepaid, on all creditors on the attached matrix.

/s/ Daniel M. Press  
Daniel M. Press

Eastern District of Virginia  
Alexandria  
Tue Sep 19 17:54:05 EDT 2017

CERASTES, LLC  
C O WEINSTEIN & RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Capital One  
PO Box 30253  
Salt Lake City, UT 84130-0253

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Lester Zimmerman  
935 Mackall Ave  
Mc Lean, VA 22101-1617

Nordstrom Bank  
PO Box 13589  
Scottsdale, AZ 85267-3589

PNC Bank, National Association  
3232 Newmark Drive  
Miamisburg, OH 45342-5421

PNC Mortgage  
3232 Newmark Dr  
Miamisburg, OH 45342-5433

SLS  
PO Box 636005  
Littleton, CO 80163-6005

Samuel I White PC  
5040 Corporate Woods Dr  
Virginia Beach, VA 23462-4377

US Bank, N.A., Trustee  
425 Walnut St  
Cincinnati, OH 45202-3989

Daniel M. Press  
Chung & Press, P.C.  
6718 Whittier Ave., Suite 200  
McLean, VA 22101-4531

Judy A. Robbins  
Office of the U.S. Trustee - Region 4  
115 South Union Street, Room 210  
Alexandria, VA 22314-3361

Mary Lou Zimmerman  
1820 Fonthill Court  
Mc Lean, VA 22102-4788

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America  
PO Box 982238  
El Paso, TX 79998-2238

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)SPECIALIZED LOAN SERVICING LLC AS SERVICER

(u)U.S. Bank National Association, as Trustee

End of Label Matrix

Mailable recipients	15
Bypassed recipients	2
Total	17